

AMENDED IN ASSEMBLY JULY 18, 2001

AMENDED IN ASSEMBLY JULY 2, 2001

AMENDED IN SENATE MAY 7, 2001

SENATE BILL

No. 1054

Introduced by Senator Knight

February 23, 2001

An act to add and repeal Article 6.5 (commencing with Section 65054) of Chapter 1.5 of Division 1 of Title 7 of, and to add Title 7.84 (~~commencing with Section 67645~~) to, the 7 of the Government Code, relating to military bases.

LEGISLATIVE COUNSEL'S DIGEST

SB 1054, as amended, Knight. Military base retention.

Existing law defines a single local base reuse entity for purposes of planning relating to military bases designated for closure. Under provisions known as the Military Base Reuse Authority Act, local agencies are authorized to form an authority to plan for the transition of bases from military to civilian use. Existing law also creates the California Defense Retention and Conversion Council and gives that agency and the Technology, Trade, and Commerce Agency prescribed duties relative to retaining military facilities within California.

This bill would define a single local base retention entity for purposes of retention planning relating to military bases. ~~Under provisions to be known as the Military Base Retention Authority Act, the bill would authorize local agencies to form an authority to perform unspecified base retention activities.~~

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Article 6.5 (commencing with Section 65054) is added to Chapter 1.5 of Division 1 of Title 7 of the Government Code, to read:

Article 6.5. Single Local Retention Entities

65054. (a) As used in this article, the following terms have the following meaning:

(1) “Military base” means a military installation or subinstallation in California, as defined by regulations of the Departments of Defense and the Army, Navy, Air Force, and Marines.

(2) “Affected local entity” means any county or city located wholly or partly within the boundaries of a military base or having a sphere of influence over any portion of the base with responsibility for local zoning and planning decisions.

~~(b) It is the intent of the Legislature in enacting this article to~~
(b) The Legislature hereby finds and declares both of the following:

(1) Because of the tremendous economic impact that military bases and Department of Defense facilities have on the state, it is in the best interest of the state to facilitate their retention.

(2) It is the intent of the Legislature to encourage cooperation between affected local entities in efforts to retain military bases in this state. It is also the intent of the Legislature to authorize affected local entities to enter into partnerships to engage in base retention activities by authorizing the creation of a joint powers authority pursuant to this section.

(c) For the purposes of this article, a single local base retention entity shall be recognized for each military base in this state.

(d) A list of entities or their successors, including, but not limited to, separate airport or port authorities recognized as the single local retention entity for the military bases, shall be maintained by the California Defense Retention and Conversion Council. Affected counties and cities may also establish, by resolution, a joint powers authority for the purposes of this article and Title 7.84 (commencing with Section 67645) pursuant to

pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1, if a single local retention entity cannot otherwise be identified or established.

(e) The state shall recognize a single local retention entity for each active military base if resolutions acknowledging the entity as the single local base retention entity are adopted by the affected county board of supervisors and the city council of each city located wholly or partly within the boundaries of the base or having a sphere of influence over any portion of the base and are forwarded to the California Defense Retention and Conversion Council, created pursuant to Article 3.6 (commencing with Section 15346) of Chapter 1 of Part 6.7 of Division 3 of Title 2 on or before July 1, 2002. *If prior to January 1, 2002, a local entity was awarded grant moneys pursuant to Section 15346.10 for a specific military installation, the recipient entity shall be recognized by the state as the single local base retention entity unless resolutions acknowledging a separate entity are adopted by the affected county board of supervisors and the city council of each city located wholly or partly within the boundaries of the base or having a sphere of influence over any portion of the base and are forwarded to the California Defense Retention and Conversion Council.*

(f) If the necessary resolutions are not adopted within the time limit specified in subdivision (e), the California Defense Retention and Conversion Council shall appoint a neutral person or persons, with experience in local land use issues, as a mediator to facilitate communication between the disputants and assist them in reaching a mutually acceptable agreement.

(g) If the necessary resolutions are not adopted within the time limit specified in subdivision (e), the California Defense Retention and Conversion Council, as a last resort, and only if no recognition of a single local base retention entity is made pursuant to subdivision (f), shall hold public hearings and recognize a single local base retention entity for each military base or recommend legislation or action by the local agency formation commission if necessary to implement a proposed recognition.

65054.1. The single local base retention authority shall be recognized by all state agencies as the single base retention planning authority for the base. The state shall encourage the federal government and other local jurisdictions to recognize

1 similarly the authorities designated pursuant to Section 65054 for
2 the purposes of retention activities.

3 65054.2. This article shall remain in effect only until January
4 1, 2007, and as of that date is repealed, unless a later enacted
5 statute, which is enacted before January 1, 2007, deletes or extends
6 that date.

7 ~~SEC. 2.—Title 7.84 (commencing with Section 67645) is added~~
8 ~~to the Government Code, to read:~~

9
10 ~~TITLE 7.84. MILITARY BASE RETENTION AUTHORITY~~
11 ~~ACT~~
12

13 ~~67645.—This title shall be known and may be cited as the~~
14 ~~Military Base Retention Authority Act.~~

15 ~~67645.1.—The Legislature finds and declares all of the~~
16 ~~following:~~

17 ~~(a) Due to the tremendous economic impact on the state, it is~~
18 ~~in the best interest of the state to facilitate the retention military~~
19 ~~bases and Department of Defense facilities in California.~~

20 ~~(b) It is the intent of this section to provide a means for affected~~
21 ~~local entities to partner in base retention activities by authorizing~~
22 ~~the creation of a joint powers authority.~~

23 ~~67645.2.—As used in this article, the following terms have the~~
24 ~~following meaning:~~

25 ~~(a) “Military base” means a military installation or~~
26 ~~subinstallation in California as defined by regulations of the~~
27 ~~Departments of the Defense and the Army, Navy, Air Force, and~~
28 ~~Marines.~~

29 ~~(b) “Affected local entity” means any county or city located~~
30 ~~wholly or partly within the boundaries of a military base or having~~
31 ~~a sphere of influence over any portion of the base with~~
32 ~~responsibility for local zoning and planning decisions.~~

33 ~~(c) “Authority” means a military base retention authority.~~

34 ~~(d) “Legislative body” means the city council of a city or the~~
35 ~~board of supervisors of a county.~~

36 ~~67645.3.—Counties and cities may establish an authority with~~
37 ~~the powers and duties set forth in this title upon the adoption of~~
38 ~~resolutions pursuant to Section 65054.~~

39 ~~67645.4.—The authority is a public corporation of the state that~~
40 ~~is independent of the agencies from which its board is appointed.~~

1 ~~Notwithstanding any other provision of law, the powers and duties~~
2 ~~of the authority are those granted or imposed by this title.~~
3 ~~67645.5. The authority shall cease to exist 10 years after the~~
4 ~~creation of the authority or when the board determines the military~~
5 ~~base would be best served by an authority created under Title 7.86~~
6 ~~(commencing with Section 67800). The local agency formation~~
7 ~~commission or commissions of the county or counties that are~~
8 ~~member agencies shall provide for the orderly dissolution of the~~
9 ~~authority, including ensuring that all contracts, agreements, and~~
10 ~~pledges to pay or repay money entered into by the authority are~~
11 ~~honored and properly administered, and that all assets of the~~
12 ~~authority are appropriately transferred.~~

